IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

Bail Appl..No. 6735 of 2007()

CMP.5384/2007 of J.M.F.C.-II, CHENGANNUR
CR.NO.176/07 OF CHENGANNUR EXCISE RANGE.

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PETITIONER : 1ST ACCUSED:

RADHAKRISHNAN, S/O.KOCHCHERUKKAN,
MANNARATHARA COLONY, VANMAZHIMURI,
PANDANADU VILLAGE, CHENGANNUR.

BY ADV. SRI.R.VINOD

RESPONDENTS: COMPLAINANT/STATE:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6735 of 2007

Dated this the 6th day of November, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused. Altogether, there are 2 accused persons. The petitioner faces allegations under the Kerala Abkari Act. He along with the co-accused was allegedly found to be in possession of 5 litres of arrack on 11/10/07. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has one more case under the Abkari Act registered against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be

released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 12/11/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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